

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

IN RE: Cecilia Hancock  
Albert Hancock  
(Debtor)

CASE NO.: 16-13254  
JUDGE: \_\_\_\_\_  
CHAPTER: 13

**CHAPTER 13 PLAN AND MOTIONS**

    Original                        X   Modified/ Notice Required      X   Discharge Sought  
    Motion Included               Modified/No Notice               No Discharge Sought  
   Required

Date: \_\_\_\_\_

THE DEBTOR HAS FILED FOR RELIEF UNDER CHAPTER 13  
OF THE BANKRUPTCY CODE.

**YOUR RIGHTS WILL BE AFFECTED.**

You should have received from the court a separate Notice of the Hearing on Confirmation of Plan, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED  
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN  
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

**PART 1. PAYMENT AND LENGTH OF PLAN**

- a. The Debtor shall pay \$100.00 per month for 36 months to the Chapter 13 Trustee for approximately 36 months plus any non-exempt proceeds from a personal injury matter.
- b. The Debtor shall make plan payments to the Trustee from the following sources:  
    Future Earnings  
    Other sources of funding (describe source, amount and date when funds are available) \_\_\_\_\_

- c. X Use of real property to satisfy plan obligations:
- \_\_\_\_\_ Sale following assets \_\_\_\_\_ on or before \_\_\_\_\_
- \_\_\_\_\_ Refinance following assets \_\_\_\_\_ on or before \_\_\_\_\_
- X Loan Modification with respect to mortgage encumbering the  
following property Bunker Hill \_\_\_\_\_ on or before 9/30/16
- d. \_\_\_\_\_ The regular monthly mortgage payments will continue pending the sale,  
refinance or loan modification
- e. \_\_\_\_\_ Other information that may be important relating to the payment and  
length of the plan.

**PART 2. ADEQUATE PROTECTION**

- a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be  
paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_  
(creditor).
- b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be  
paid directly by the debtor outside, pre-confirmation to \_\_\_\_\_ (creditor).

**Part 3. PRIORITY CLAIMS (INCLUDING ADMINISTRATIVE EXPENSES)**

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

<u>Creditor</u>	<u>Type of Priority</u>	<u>Amount to be Paid</u>
The Law Office of Peter E. Zimnis, Esquire	Administrative	\$1460.00
Albert Russo, Trustee	Administrative	\$
NJ Taxes	priority	tbd when final POC filed

**PART 4. SECURED CLAIMS**

**a. Curing Default and Maintaining Payments**

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on  
monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly  
obligations due after the bankruptcy filing as follows:

<u>Creditor</u>	<u>Collateral or</u>	<u>Arrearage</u>	<u>Interest Rate</u>	<u>Amount to be</u>	<u>Regular Monthly Payment</u>
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	<u>Type of Debt</u>		<u>on Arrearage</u>	<u>Paid to Creditor (In Plan)</u>	<u>(Outside Plan)</u>
<u>Shellpointe (Selene Finance</u>	<u>House</u>	<u>150724.57</u>		<u>\$0.00</u>	<u>Debtor to maintain post petition payments on all secured debts listed in this subsection</u>
<u>State of NJ</u>	<u>Stat Lien</u>	<u>\$1570.00</u>		<u>\$1570.00</u>	

**b. Modification**

- 1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral" plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRE the appropriate motion to be filed under Section 7 of the Plan

<u>Creditor</u>	<u>Collateral</u>	<u>Scheduled Debt</u>	<u>Total Collateral Value</u>	<u>Superior Liens</u>	<u>Value of Creditor Interest in Collateral</u>	<u>Annual Interest Rate</u>	<u>Total Amount to Be Paid</u>

- 2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**c. Surrender**

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

<u>Creditor</u>	<u>Collateral to be Surrendered</u>	<u>Value of Surrendered Collateral</u>	<u>Remaining Unsecured Debt</u>

**d. Secured Claims Unaffected by the Plan**

The following secured claims are unaffected by the Plan: \_\_\_\_\_  
\_\_\_\_\_

- e. Secured Claims to be paid in full through the plan:

	<u>Collateral</u>	<u>Total Amount to be paid through the</u>	
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<u>Creditor</u>		<u>plan</u>	

Part 5. **UNSECURED CLAIMS**

a. **Not separately classified** Allowed non-priority unsecured claims shall be paid:

\_\_\_\_ Not less than \$ \_\_\_\_\_ to be distributed *pro rata*

\_\_\_\_ Not less than \_\_\_\_ percent

X Pro rata distribution from any remaining funds

b. **Separately Classified Unsecured Claims** shall be treated as follows:

<u>Creditor</u>	<u>Basis for Separate Classification</u>	<u>Treatment</u>	<u>Amount to be Paid</u>

PART 6. **EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

All executory contracts and unexpired leases are rejected, **except** the following, which are **assumed**:

<u>Creditor</u>	<u>Nature of Contract or Lease</u>	<u>Treatment by Debtor</u>

PART 7. **MOTIONS**

**NOTE:** All plans containing motions must be served on all potentially affected creditors, together with a Chapter 13 Plan Transmittal Letter, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Proof of Service must be filed with the Clerk of Court when the Plan and Transmittal Letter are served

Where a motion to avoid liens or partially avoid liens has been filed in the plan, a proof of claim filed that asserts a secured claim that is greater than the amount to be paid in the plan serves as opposition to the motion, and serves as an objection to confirmation. The proof of claim shall be served in accordance with D.N.J. LBR 3015-6(a). The creditor shall file a proof of service prior to the scheduled confirmation hearing. In order to prosecute the objection, the creditor must appear at the confirmation hearing, which shall be the hearing on the motion. Failure to appear to prosecute the objection may result in the motion being granted and the plan confirmed pursuant to the terms as set forth in the plan.

a. **Motion to Avoid Liens under 11 U.S.C. Section 522(f).**

The Debtor moves to avoid the following liens that impair exemptions:

<u>Creditor</u>	<u>Nature of Collateral</u>	<u>Type of Lien</u>	<u>Amount of Lien</u>	<u>Value of Collateral</u>	<u>Amount of Claimed</u>	<u>Sum of All Other Liens</u>	<u>Amount of Lien to be</u>

					<u>Exemption</u>	<u>Against the Property</u>	<u>Avoided</u>

**b. Motion to Void Liens and Reclassify Claim from Secured to Completely Unsecured.**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

<u>Creditor</u>	<u>Collateral</u>	<u>Amount of Lien to be Reclassified</u>

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

<u>Creditor</u>	<u>Collateral</u>	<u>Amount to be Deemed Secured</u>	<u>Amount to be Reclassified as Unsecured</u>

**PART 8. OTHER PLAN PROVISIONS**

**a. Vesting of Property of the Estate**

  X   Upon Confirmation

       Upon Discharge

**b. Payment Notices**

Creditors and Lessors provided for in Sections 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions/Debtor's counsel
- 2) DSO (if applicable)
- 3) Secured Claims
- 4) Priority claims
- 5) General Unsecured claims

**d. Post-petition claims**

The Trustee \_\_\_\_ is X is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

PART 9. **MODIFICATION**

If this plan modifies a plan previously filed in this case, complete the information below.

Date of plan being modified: \_\_\_\_\_

Explain below why the plan is being modified to resolve trustee objection and incorporate Proof of claim amounts. Also fixes attorney fees due.

Explain below how the plan is being modified Payment of nonexempt P/I proceeds are added and proof of claims are quantified. Attorney fees due is corrected.

Are schedules I and J being filed simultaneously with this plan? \_\_\_\_ yes X no

PART 10 **SIGN HERE**

The Law Office of Peter E. Zimnis

Date \_\_\_\_\_ /s/ John A. Zimnis  
Attorney for the Debtor

I hereby certify under penalty of perjury that the foregoing is true and correct.

Date \_\_\_\_\_ /s/ Cecilia Hancock  
Debtor

Date \_\_\_\_\_ /s/ Albert Hancock  
Joint Debtor (if any)

**Certificate of Notice Page 7 of 9**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Cecilia L Hancock  
 Albert L Hancock, III  
 Debtors

Case No. 16-13254-KCF  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
 Form ID: pdf901

Page 1 of 3  
 Total Noticed: 61

Date Rcvd: Aug 04, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 06, 2016.  
 db/jdb

cr +Cecilia L Hancock, Albert L Hancock, III, 832 Bunker Hill Avenue,  
 Lawrence Township, NJ 08648-4002  
 +Selene Finance LP as servicing agent for U.S. Nati, Stern Lavinthal & Frankenberg LLC,  
 105 Eisenhower Parkway, Suite 302, Roseland, NJ 07068-1640  
 516015342 #+A-1 Collection, Re: Capital Health System, 101 Grovers Mill Rd,  
 Lawrenceville, NJ 08648-4706  
 516015344 +Allied Interstate, Re: Verizon, 3000 Corporate Exchange Drive, 5th floor,  
 Columbus, OH 43231-7689  
 516015345 +Brighter Dental Care, 46 Vreeland Drive, Suite 6, Skillman, NJ 08558-2638  
 516015346 +Bronson Cawley & Bergmann, Re: Midland Funding; GEMB, 415 Lawrence Bell Drive,  
 Williamsville, NY 14221-7805  
 516015350 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285  
 (address filed with court: Capital One Services, 15000 Capital One Drive,  
 Richmond, VA 23238)  
 516170398 CAPITAL ONE, N.A., C/O BECKETT AND LEE LLP, PO BOX 3001, MALVERN, PA 19355-0701  
 516015347 +Capital Health Systems, 750 Brunswick Avenue, Attn: Patient Accounts,  
 Trenton, NJ 08638-4143  
 516015349 +Capital One, 1680 Capital One Drive, Mc Lean, VA 22102-3407  
 516015348 +Capital One, PO Box 30285, Salt Lake City, UT 84130-0285  
 516015351 +Chase Bank USA, 800 Brooksedge Blvd, Westerville, OH 43081-2822  
 516015352 +Citibank (Sears), PO Box 6500, Sioux Falls, SD 57117-6500  
 516015353 +Citifinancial, 605 Munn Road E, Fort Mill, SC 29715-8421  
 516015354 +Client Services, Inc., Re: Sears/Citi, 3451 Harry Truman Blvd,  
 Saint Charles, MO 63301-4047  
 516015355 +Collection Bureau of America, Re: DS Waters of North America, 25954 Eden Landing Road,  
 1st floor, Hayward, CA 94545-3816  
 516015357 +Comenity Capital, PO Box 182120, Columbus, OH 43218-2120  
 516015360 ++DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577  
 (address filed with court: Dell, PO Box 4125, Carol Stream, IL 60197)  
 516015361 +EOS CCA, Re: Verizon Wireless, 700 Longwater Drive, Norwell, MA 02061-1624  
 516015362 +FDS Bank/DSNB/Macys, 9111 Duke Blvd, Mason, OH 45040-8999  
 516015363 +Federman & Phelan, Re: Shellpointe/Bank of America, 400 Fellowship Road, Suite 100,  
 Mount Laurel, NJ 08054-3437  
 516015369 +Home Depot/Citibank, PO Box 6500, Sioux Falls, SD 57117-6500  
 516015373 +Midland Credit Mngmt, Re: Credit One, 2365 Northside Drive, Suite 300,  
 San Diego, CA 92108-2709  
 516015372 +Midland Credit Mngmt, Re: GEMB; Credit One, 2365 Northside Drive, Suite 300,  
 San Diego, CA 92108-2709  
 516252645 +Midland Funding LLC, PO Box 2011, Warren MI 48090-2011  
 516015374 +National Credit Managers, Re: World Keimyung Taekwondo, PO Box 140925,  
 Orlando, FL 32814-0925  
 516015375 +Nationwide Credit, Re: GEMB/JC Penney, PO Box 26314, Lehigh Valley, PA 18002-6314  
 516119232 OWS REMIC Trust 2013-2, c/o Shellpoint Mortgage Servicing, PO Box 10826,  
 Greenville, SC 29603-0826  
 516304356 +OWS REMIC Trust 2013-2 c/o, Selene Finance- Att.Cashiering, 9990 Richmond Ave.,  
 Suite 400 South,, Houston, TX 77042-4546, OWS REMIC Trust 2013-2 c/o  
 516015381 +Pressler & Pressler, Re: Midland Funding; DC 5824-10, 7 Entin Road,  
 Parsippany, NJ 07054-5020  
 516015382 +Pressler & Pressler, Re: Midland Funding; DC 9222-10, 7 Entin Road,  
 Parsippany, NJ 07054-5020  
 516015380 +Pressler & Pressler, Re: Midland Funding; DC 9521-10, 7 Entin Road,  
 Parsippany, NJ 07054-5020  
 516015383 +Pressler & Pressler, Re: Midland Funding; DC 26-16, 7 Entin Road,  
 Parsippany, NJ 07054-5020  
 516015384 +Progressive Financial, PO Box 22083, Re: Kohls, Tempe, AZ 85285-2083  
 516015387 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,  
 TRENTON NJ 08646-0245  
 (address filed with court: State of NJ- Division of Taxation, CN 245, Trenton, NJ 08646)  
 516015385 +Scott Schaffer, DMD, 77 Valley Road, Clark, NJ 07066-1811  
 516015386 +Shellpoint, 55 Beattie Pl, Ste 110, Greenville, SC 29601-5115  
 516015389 +U.S Home Medical Equipment, 5 Lebanon Drive, Brielle, NJ 08730-1548  
 516015390 +Verizon NJ, 500 Technology Drive, Weldon Spring, MO 63304-2225  
 516015391 +Verizon Wireless, PO Box 26055, Minneapolis, MN 55426-0055  
 516015392 +WFNNB/Victorias Secret (Comenity), PO Box 659705, San Antonio, TX 78265-9705

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 smg E-mail/Text: usanj.njbankr@usdoj.gov Aug 04 2016 22:44:05 U.S. Attorney, 970 Broad St.,  
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  
 smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Aug 04 2016 22:44:02 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235  
 516015343 +E-mail/PDF: recoverybankruptcy@afninet.com Aug 04 2016 22:45:36 Afni, PO Box 3427,  
 Re: Verizon, Bloomington, IL 61702-3427

District/off: 0312-3

User: admin  
Form ID: pdf901

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Total Noticed: 61

Date Rcvd: Aug 04, 2016

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

516015356 +E-mail/Text: ned-collections\_bankruptcydocuments@comcast.com Aug 04 2016 22:44:39 Comcast,  
1 Comcast Center, Philadelphia, PA 19103-2899  
516015358 +E-mail/Text: bankruptcy\_notifications@ccsusa.com Aug 04 2016 22:45:02  
Credit Collection Services, Re: Comcast, Two Wells Avenue, Newton Center, MA 02459-3225  
516015359 +E-mail/Text: creditonebknotifications@resurgent.com Aug 04 2016 22:43:24 Credit One Bank,  
PO Box 98873, Las Vegas, NV 89193-8873  
516015364 E-mail/PDF: gecsedirecoverycorp.com Aug 04 2016 22:45:45 GEMB, PO Box 103024,  
Roswell, GA 30076  
516015365 +E-mail/PDF: gecsedirecoverycorp.com Aug 04 2016 22:45:27 GEMB/GAP, PO Box 103104,  
Roswell, GA 30076-9104  
516015366 +E-mail/PDF: gecsedirecoverycorp.com Aug 04 2016 22:45:45 GEMB/JC Penney, PO Box 981400,  
El Paso, TX 79998-1400  
516015367 +E-mail/PDF: gecsedirecoverycorp.com Aug 04 2016 22:45:48 GEMB/Loc, PO Box 981400,  
El Paso, TX 79998-1400  
516015368 +E-mail/PDF: gecsedirecoverycorp.com Aug 04 2016 22:45:47 GEMB/Old Navy, PO Box 981400,  
El Paso, TX 79998-1400  
516015370 +E-mail/Text: bnckohlsnotices@becket-lee.com Aug 04 2016 22:43:31 Kohls, PO Box 2983,  
Milwaukee, WI 53201-2983  
516015371 E-mail/Text: bkr@cardworks.com Aug 04 2016 22:43:15 Merrick Bank, PO Box 5721,  
Hicksville, NY 11802  
516015377 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Aug 04 2016 22:46:13  
Portfolio Recovery Associates, Re: Citifinancial, 120 Corporate Blvd, Ste 1,  
Norfolk, VA 23502  
516015379 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Aug 04 2016 22:45:57  
Portfolio Recovery Associates, Re: Citifinancial; Citibank; WFNNB, 120 Corporate Blvd,  
Ste 1, Norfolk, VA 23502  
516015378 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Aug 04 2016 22:45:38  
Portfolio Recovery Associates, Re: Home Depot; Citi, 120 Corporate Blvd, Ste 1,  
Norfolk, VA 23502  
516214349 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Aug 04 2016 22:45:38  
Portfolio Recovery Associates, LLC, c/o THE HOME DEPOT, POB 41067, Norfolk VA 23541  
516015376 +E-mail/Text: ebn@vativrecovery.com Aug 04 2016 22:43:51 Palisades Collection,  
Re: Verizon, 210 Sylvan Avenue, Englewood Cliffs, NJ 07632-2510  
516159980 E-mail/Text: bnc-quantum@quantum3group.com Aug 04 2016 22:43:56  
Quantum3 Group LLC as agent for, Absolute Resolutions Corp, PO Box 788,  
Kirkland, WA 98083-0788  
516015388 +E-mail/PDF: gecsedirecoverycorp.com Aug 04 2016 22:45:46 SYNCB, PO Box 965005,  
Orlando, FL 32896-5005

TOTAL: 20

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

516146323\* ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,  
TRENTON NJ 08646-0245  
(address filed with court: State of New Jersey, Department of Treasury,  
Division of Taxation, PO Box 245, Trenton, NJ 08695-0245)

TOTALS: 0, \* 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court  
immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 06, 2016

Signature: /s/Joseph Speetjens



District/off: 0312-3

User: admin  
Form ID: pdf901

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Total Noticed: 61

Date Rcvd: Aug 04, 2016

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### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 4, 2016 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com  
Albert Russo docs@russotrustee.com  
Denise E. Carlon on behalf of Creditor Selene Finance LP as servicing agent for U.S. National Bank Association, not in its individual capacity but solely as Trustee on behalf of OWS REMIC Trust 2013-2 Non-Trustee State: U.S. National Bank dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Denise E. Carlon on behalf of Creditor U.S. Bank National Association, Et Al... dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Jeanette F. Frankenberg on behalf of Creditor Selene Finance LP as servicing agent for U.S. National Bank Association, not in its individual capacity but solely as Trustee on behalf of OWS REMIC Trust 2013-2 Non-Trustee State: U.S. National Bank cmecf@sternlav.com  
John Zimnis on behalf of Joint Debtor Albert L Hancock, III njbankruptcyaw@aol.com.  
John Zimnis on behalf of Debtor Cecilia L Hancock njbankruptcyaw@aol.com.

TOTAL: 7